

REMARKS

Reconsideration of this application is respectfully requested.

Claims 1-21 are pending. Claims 1-21 stand rejected.

Claims 11 and 12 have been amended. No claims have been canceled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicants submit that the amendments do not add new matter.

Double Patenting

Claims 1-21 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-11 of U.S. Patent No. 6,751,658.

Applicant notes that the Terminal Disclaimer was not included with the previous response filed on August 26, 2005. The terminal disclaimer in compliance with 37 CFR 1.321 (c) is enclosed herewith to overcome the rejection without admitting that this rejection is proper.

Rejections Under 35 U.S.C. § 102(e)

Claims 1-21 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,330,653 of Murray et al. ("Murray").

Murray discloses manipulating virtual and live partitions of a computer storage device. More specifically, Murray discloses

When multiple computers in the system 300 are used, the common user interface 204 provides optional but generally positive benefits. For instance, commands may be sent from a first computer, e.g., the server 304, over a link 306 to an engine on a remote second computer, e.g., one or more of the clients 308. The server 304 and the client 308 may provide different platforms, e.g., Linux on the server 304 and Windows 95 on the client 308, with at least a corresponding platform-specific user interface 202 on the server 304 and at least an instance of the common user interface 204 on the client 308. In one configuration, the virtual engine environment 206 being used resides on the server 304 and the real engine 210 which eventually may carry out commands from the server 304

resides on the client 308 whose partition(s) 108 will be manipulated. In another configuration, the platform-specific user interface 202 on the server 304 communicates over a link 306 with an instance of the common user interface 204 and hence with a virtual engine environment 206 on the client 308; the real engine 210 which eventually may carry out commands from the server 304 likewise resides on the client 308.

(Murray, Col. 10, lines 39-59) (emphasis added)

Murray also discloses that after manipulating the partitions on the client computer, the client computer is subsequently booted. Murray discloses

In changing partitions 108 from logical to primary or vice versa, it may be necessary to move or combine partitions 108 so that only one extended and only four or fewer primary partitions 108 are present. For instance, consider a disk 106 containing partitions P1, P2, P3, and E, in that order, where Pn is a non-extended primary partition 108, E is an extended partition 108, and E contains logical partitions 108 L1, L2, L3, and L4 in that order. To boot from L3, the implementing software could make L3 and L4 primaries 108, make P2 and P3 logical partitions 108 in an extended 108 that also contains L1 and L2, and leave P1 as is. The four partition table 104 entries would then identify (i) P1, (ii) an extended partition 108 (containing P2, P3, L1, and L2), (iii) L3, and (iv) L4. L3 would become a primary 108 to be subsequently booted by the boot manager in a familiar manner.

(Murray, Col. 38, lines 3146) (emphasis added)

Thus, Murray merely discloses performing manipulations of the partitions on a client computer in response to a command from a server and not causing other of the plurality of network computer clients that are subsequently booted from a network to receive a second operating system software that is configured differently than a first operating system software, as set forth in previously presented claim 1. As such, Murray fails to disclose the limitation of previously presented claim 1 of a first network computer (NC) client of a plurality of NC clients causing other of the plurality of NC clients that are subsequently booted from a network to receive a second operating system software that is configured differently than a first operating system software by replacing a first set of one or more system volumes maintained at a NC server containing the first operating system software with a second set of one or more system volumes maintained at the NC server containing second operating system software.

Because Murray does not set forth all the limitations of previously presented claim 1, applicants respectfully submit that previously presented claim 1 is not anticipated by Murray under 35 U.S.C. § 102(e).

Applicants respectfully submit that independent claims 2, 3, and 11-21 are also not anticipated by Murray under 35 U.S.C. § 102(e).

Given that claims 4-6, 7-8, and 9-10 depend, directly or indirectly, from respective independent claims 1, 2, and 3, and add additional limitations, applicants respectfully submit that claims 4-6, 7-8, and 9-10 are likewise not anticipated by Murray under 35 U.S.C. § 102(e).

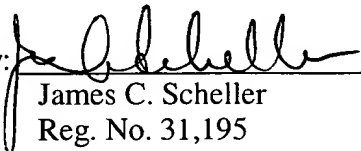
Applicant notes that only claims 15, 20 and 21 use language which may invoke 35 U.S.C. § 112(b) and that no correction of these claims should be required.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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Date: October 4, 2005

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